



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/155,398	02/02/99	BOON	10077 P. 007/99

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WM21/0618

LEE, Y EXAMINER

ART UNIT 2813	PAPER NUMBER 10
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DATE MAILED: 06/18/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/155,398

Applicant(s)  
Choong Seng Boon

Examiner  
Y. Lee

Art Unit  
2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 8, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) 4, 5, 8-15, and 18-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 7, 16, and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Feb 2, 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 5, 6 20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicant's election with traverse of species I corresponding to Figures 1-3(b), claims 1-3, 6, 7, 16, and 17 in Paper No. 9 is acknowledged. The traversal is on the ground(s) that the Examiner has failed to identify or indicate to the Applicant that the alleged independent and distinct inventions are unconnected in design, operation, or effect. This is not found persuasive because the fact that the current application claimed multiple independent embodiments that are not so linked as to form a single inventive concept is sufficient to indicate that a restriction is required.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 4, 5, 8-15, and 18-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected embodiment, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 9.

### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

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***Drawings***

4. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
5. Figures 18-20 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

***Specification***

6. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-3, 6, 7, 16, and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's admitted prior art.

Applicant's admitted prior art, in Figures 18-20, discloses the same data recording medium for storing a program which makes a computer perform padding of pixel values to a

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digital image signal forming an original image space comprising an image having an arbitrary shape and comprising significant pixels and insignificant pixels as specified in claims 1-3, 6, 7, 16, and 17 of the present invention, comprising the steps of dividing the original image space 301 into a first small image space 381 comprising pixels on odd-numbered pixels rows in the original image space 301 and a second small image space 382 comprising pixels on even-numbered pixel rows in the original image space 301; sampling is performed by extracting pixels every  $(N+1)$ th pixel in a prescribed direction of the original image space 301  $(N+1)$  times by using the first to the  $(N+1)$  pixels as starting sample pixel, to form  $(N+1)$  pieces of small image spaces each comprising a prescribed number of pixels obtained by one padding; and sampling is continuously performed twice using the first and second pixel rows as starting sample pixel rows, by extracting pixels on every other pixel row in the vertical direction of the original image space 301, to form first 381 and second 382 small image spaces each comprising a prescribed number of pixels obtained by first and second samplings, respectively; wherein operation values obtained by performing operation on values of significant pixels (303,304) in an  $n$ -th small image space are used as the padding pixel values for replacing the values of insignificant pixels 302 in the  $n$ -th small image space; and generating first padding pixel values from values of significant pixels in the first small image space and replacing values of insignificant pixels 302 in the first small image space with the first padding pixel values, and generating second padding pixel values from values of significant pixels in the second small image space and replacing values of insignificant pixels 302 in the second small image space with the second padding pixel values.

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***Conclusion***

**9. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)


(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

**Or:**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

**10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584.**

  
**Y. LEE**  
**PRIMARY EXAMINER**

Y. Lee/yl  
June 18, 2001